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RECEIVED

JUN 18 2007

Ravalli County Commissioners

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June 18, 2007

Ravalli County Commissioners

RE: Abandonment petition from Skip Rosenthal et al

I examined the petition to abandon a portion of Overlook Trail in Lots 22-24, Block 9, SUNNYSIDE ORCHARDS #3. The subject road apparently is a forty foot wide easement shown on Amended Plat #539 and labeled "Road and Utilities Easement, Existing Traveled Way, Approximate Location". The owners' certification on this amended plat states that no land is dedicated to the public.

In my opinion this is a private easement that has no public status. Therefore an abandonment action by the Board of County Commissioners is not necessary and would have no effect.

I shared this opinion with Regina Plettenburg, and she agrees.

Sincerely,



cc: Regina Plettenburg, Skip Rosenthal

June 18, 2007

Commissioners:

I had already receipted \$150.00 down payment from Skip on this petition to abandon. Since it was deemed as a private easement, I will be refunding Skip \$50.00 because Steve's bill was \$100.00 for the research/letter.

Glenda 